

MINUTES OF LIMA CITY COUNCIL  
LIMA, OHIO

June 8, 2020

The Council of the City of Lima met in regular session at 7:00 p.m. via audio/video communication.

Attending were: Mayor David Berger; Tony Geiger, Law Director; Randall Bartels, Auditor; Steven Cleaves, Finance Director; Kari Keener, Dir. of Human Resources; Susan Crotty; Dir. Of DCD; Mike Caprella, Dir. of Util.; Howard Elstro, Dir. of Public Works; Chief Martin, Deputy Fire Chief Heffner; and Dana Addis, Clerk.

The invocation was given by Councilor Wilkerson followed by the Pledge of Allegiance.

ROLL CALL showed the following members present: Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn and Nixon. Absent: Neeper.

Nixon moved, seconded by Glenn, to amend the Agenda by adding 8 addition speakers to Privilege of the Floor. Motion carried.

PRIVILEGE OF THE FLOOR:

Cindy Leis, Business Director of the Allen Economic Group spoke to Council about the proposed Enterprise Zone Agreement. She introduced Dave Stratton, CEO of Allen Economic Group and Jason Lake, Site Selection Consultant from Cushman and Wakefield. She advised their site on Commerce parkway was selected as the number one site in the Midwest for the project. She explained the project is a \$35 Million new company to Lima, Ohio which will employ up to 37 full time employees and will be a 100,000 square foot facility. She said the company is planned to be operational by the first quarter of next year. She said it is a plastic injection molding company in the food grade container business. She said they are excited and welcoming the Company to Lima, Ohio and she asked Council to support the project and vote yes on the proposed tax abatement.

Shirley Banks, 1098 E. Market St., spoke regarding the proposed Special Use Permit for 1105 E. Market St. She expressed her concern with the construction of an apartment complex and advised Council that she intends to preserve her property.

Manieka Binkley, 1121 E. Market St., spoke regarding the proposed Special Use Permit for 1105 E. Market St. She advised her concern is that her property butts up to 1105 E. Market St. through an alley and she wants the alley closed for her own personal use as it has been in the past. She asked where her rights are to maintain privacy, right to safety for her children and the right to protect the value of her home. She is concerned with the upkeep of the alley.

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Kevin Binkley, 1121 E. Market St., spoke regarding the proposed Special Use Permit for 1105 E. Market St. He said he has no problem with the development of the complex; he is concerned with the alley that he has maintained for the last 21 years being used as a main entrance. He said his deck is 4' 8" from the alley. He is asking Mr. Blass to compromise and close the alley from Market Street to High Street so he can maintain his privacy.

Marlene Smith, 1118 E. High St., spoke regarding her concerns of building the proposed 12 apartment complex on 1105 E. Market St. She said the alley to the East has been used and maintained by the Binkley's for years. She said the other alley leads to Shawnee Street and is very steep and it is hard to turn out of. She said the daily traffic would ruin her rights to peach and quiet. She has lived at her residence for 45 years and she would like her neighborhood to stay quiet.

Douglas Plaughter was not present to speak.

Gerald Brenneman was not present to speak.

Kelly Pack was not present to speak.

Karen Moore was not present to speak.

THE FOLLOWING ITEMS WERE PRESENTED ON THE CONSENT CALENDAR:

- a. Minutes of the previous meeting not read since each received a copy.
- b. Law Department 2019 Annual Report.

Gordon moved that items "a" of the consent calendar be received, filed, and approved and that item "b" be received and filed, seconded by Dixon, motion carried.

THE FOLLOWING COMMUNICATIONS WERE PRESENTED:

1. From the Chief of Police regarding legislation to apply for and accept an award for the Paul Coverdell Forensic Science Improvement Grants Program. Moved by Dixon, seconded by Glenn, that the communication be received and filed. Motion carried.

2. From the Dir. of Public Works regarding legislation to advertise for bids and enter into contract to reconstruct certain sidewalks. Moved by Ehora, seconded by Glenn, that the communication be received and filed. Motion carried.

3. From the Dir. of Public Works regarding legislation to amend the contract with Schindler Elevator Corporation. Moved by Ehora, seconded by Wilkerson, that the communication be received and filed. Motion carried.

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4. From the Dir. of Community Development regarding a petition for a Special Use Permit. Moved by Dixon, seconded by Wilkerson, that the communication be received, filed and referred to the Neighborhood Concerns Committee. Motion carried.

5. From the Dir. of Utilities regarding legislation allow Phase I of the new SCADA software system for the Water Treatment Plant. Moved by Gordon, seconded by Wilkerson, that the communication be received and filed. Motion carried.

6. From the Dir. of Utilities regarding legislation to purchase a skid Steer Loader. Moved by Gordon, seconded by Wilkerson, that the communication be received and filed. Motion carried.

7. From the Dir. of Community Development regarding legislation to place tax assessments. Moved by Thompson, seconded by Ehora, that the communication be received and filed. Motion carried.

8. From the Dir. of Utilities regarding legislation to allow the repair of a pump station motor. Moved by Gordon, seconded by Wilkerson, that the communication be received and filed. Motion carried.

9. From the Dir. of Community Development regarding legislation to support a ten-year Enterprise Zone Agreement. Moved by Gordon, seconded by Glenn, that the communication be received and filed. Motion carried.

10. From the Dir. of Public Works regarding legislation to enter into preliminary consent with the Ohio Department of Transportation. Moved by Ehora, seconded by Wilkerson, that the communication be received and filed. Motion carried.

11. From the Mayor regarding the death of George Floyd and ongoing civil unrest. Moved by Dixon, seconded by Glenn, that the communication be received, filed and referred to Council of the Whole Committee. Councilor Glenn thanked the Mayor for taking this on. Motion carried.

#### REPORTS OF OFFICIALS:

Council received a written report from Ric Stolly regarding the Youth Commission After-School Program (ECCO).

Chief Martin informed Council the report was added to Reports of Officials in error as it was meant to be presented as a Communication. President Nixon moved, seconded by Wilkerson, to receive and file the communication entitled "Patrol Services Memo" and to label it as communication #12. Motion carried.

REPORTS OF COMMITTEES:

Councilor Glenn thanked Councilor Dixon for bringing this issue to the table. He said Mr. Carr educated the Committee on what Verizon is doing. All Council members have received a copy. Glenn moved, seconded by Gordon, that the Neighborhood Concerns Committee report be received, filed and approved. Motion carried.

THE FOLLOWING RESOLUTIONS WERE PRESENTED:

009-20 A Resolution Designating the Honorary Name of the Jameson Overpass as the William A. Fowler Bridge. Gordon moved, seconded by Glenn, that the Resolution be adopted on the first reading after having been read. President Nixon recognized four students who have been known as the “Fowler Kids”, Chance Sanders, Hailey Hahn, Leenell Hogan and Gavin Capuchino. He said these four students were very actively involved in researching and pursuing the naming of the Jameson Overpass. He thanked them. The Clerk read the Resolution. Wilkerson moved, second by Nixon, to amend Ordinance 009-20 by deleting Section 4 and authorizing the Law Dir. to submit a clean copy. Motion carried. Councilor Dixon congratulated the Fowler kids for their hard work, especially during the COVID-19 pandemic. He congratulated the Fowler Family and thanked them for lending their loved one to the City to rename the bridge. Councilor Glenn congratulated the Fowler kids and said he loves to see kids do projects. Councilor Gordon thanked the kids for their hard work they put in. President Nixon echoed the comments that were made because as this was proceeding through, we were interrupted with the COVID-19 National Health Emergency. He said the students and staff involved continued to follow through with this project. Councilor Ehora expressed how proud she is of the kids. President Nixon moved, seconded by Glenn, to adopt Resolution 009-20 on the first reading as amended. The following vote was recorded on the motion: Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn and Nixon. Nay, none. The Chair declared the motion carried and the resolution was adopted on the first reading by a 7-0 vote.

THE FOLLOWING ORDINANCES WERE PRESENTED:

095-20 (Second Reading) Authorizing the Mayor to enter into contract with Cellco Partnership dba Verizon Wireless. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the second reading by a 7-0 vote.

098-20 An Ordinance levying special assessments for property maintenance code charges on premises in the City of Lima, Ohio. Thompson moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

099-20 An Ordinance authorizing the Mayor to advertise for bids and enter into a contract for the construction of certain sidewalks for the 2020 Combined Sidewalk Project. Glenn moved, seconded by Dixon, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

100-20 An Ordinance to authorize the City of Lima to enter into an Enterprise Zone Agreement with LogoPlaste Lima, LLC pursuant to Chapter 5709 of the Ohio Revised Code as amended. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. Councilor Dixon moved, seconded by Ehora, to amend the ordinance by authorizing the Law Director to change in the second and third whereas to change the dates that are referenced if it is necessary to do so and to provide a clean copy as necessary. Motion carried. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

101-20 An Ordinance authorizing the Mayor to amend the contract with Schindler Elevator Corporation as authorized in Ordinance 017-18. Ehora moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

102-20 An Ordinance authorizing the Mayor to apply for and administer funds from the U.S. Department of Justice, Office of Justice Programs and Bureau of Justice Assistance. Dixon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

103-20 An Ordinance authorizing the Mayor to enter into contract with Bobcat of Lima for the purchase of a skid Steer Loader. Gordon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

104-20 An Ordinance authorizing the Mayor to enter into contract with Kirby Risk of Lima. Gordon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

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105-20 An Ordinance authorizing preliminary consent legislation with the Ohio Department of Transportation. Ehora moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

106-20 An Ordinance authorizing the Mayor to enter into contract with Koontz-Wagner. Gordon moved, seconded by Glenn, that the ordinance be passed on the first reading. The following vote was recorded on the motion. Yea, 7; Gordon, Wilkerson, Thompson, Ehora, Dixon, Glenn, and Nixon. Nay, none. The Chair declared the motion carried and the ordinance passes on the first reading by a 7-0 vote.

#### MISCELLANEOUS BUSINESS:

Councilor Wilkerson said he has received complaints about teenagers riding mini bikes, dirt bikes and four-wheelers without tags, on sidewalks and disregarding traffic signs. He advised that is illegal and asked parents to control their children. He said yard waste bags will be accessible as soon as the center is open. He explained the death of George Floyd and the subsequent protesting and hearing the cries of Mr. Floyd brought tears to his eyes. He said seeing pictures of Mr. Floyd reminded him of his own son who made the decision in May of 2007 to move back to the community to make a difference. He explained since that time, his son has been pulled over 14 times in Allen County. It is his concern and fear that the 15<sup>th</sup> or 16<sup>th</sup> time that his son will lose his patience, say something that could offend an officer, god forbid they try to rough handle him and god forbid they will all be wearing black suits. He said this is not just a Lima problem, it is a County problem and it is their responsibility as elected officials to seek out justice as it is appropriate. He said we can no longer sit back and hope someone else does something, we have to do it ourselves. He quoted Galatians 6:22.

Councilor Thompson explained this isn't something new and has been going on since the beginning of the country when the land was stolen from the Native Americans and built on slave labor and the truth is until you go back and start healing those wounds and making things right, it will never be right. She believes we are in a wonderful place in Lima but know the history here and know the history of the community. She said the young people proved this Saturday that they want answers and they want to discuss the wounds and want real healing which they deserve. She expressed appreciation for putting the Mayor's statement in a Committee and wants to ensure the Human Relations Board is discussed. She announced the Economic and Community Development Committee will be meeting on Monday and the Human Relations Commission will be the first to be discussed. She encouraged the community leaders, community members or anyone who is interested to apply for the open Board and Commission positions and attend the meetings. She encouraged everyone to support a protest as the police Department did a lovely job of keeping protestors safe and the community did a beautiful job of showing up. She said she knows the war is not over and it will take a minute. She encouraged everyone to keep it up and work until they find

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action, policy changes and legislation coming from the discussions. She said she doesn't care where someone stands on the issue, if people are hurting, not to tell them they are not in pain. She announced Autumn from the Community Development Department was able to re-schedule City Wide Pride for September 5<sup>th</sup>, 19<sup>th</sup>, and 26<sup>th</sup> and advised any person or organization who applied previously must apply again. She thanked everyone who helped her be heard during the meeting.

Councilor Ehora said she spent the last few weeks fielding complaints from residents regarding how their neighbors are taking care of their properties. She reminded everyone to mow and cut weeds down. She congratulated Autumn Swanson for being recognized as a young leader. She said she is completely clear on what it is to be black in America, but she will never understand what it is to be black. She knows white privilege does not refer to a person's wealth but rather the color of their skin. She said each and every day that you get up and walk into the world you will never be treated differently because of the light shade of your skin. She said white privilege will rarely get you pulled over, followed while shopping or reported for bird watching or selling lemonade. She has never known white privilege to get you killed with a knee on your neck by the side of the road. She described her first encounter with racism while in Junior High School at a sports game. She said the same white privilege makes her privy to conversations and tactics, intentional and unintentional, that reinforces her knowledge that nothing ever changes. She said racism is a learned behavior and is not genetic although it can be inherited. She said what has been striking to her while watching the peaceful protests throughout the country, has been the dialogue with a generation who are working to force those inherited racists views and actions to be eliminated from society. She said the time is now and we have a long way to go as witnessed by the language of some locals who continue to manage with an us vs. them mentality. She said her path in life has been diverse and she knows what it is to love and be loved by her extended family. She said it is time to give way to meaningful change. She plans to do her part and hopes everyone listening will do theirs also.

Councilor Dixon thanked Peggy for her words and for acknowledging how black individuals feel and him personally as a black man who may wake up every day fearing this may be the last time that he leaves his home. He congratulated Cameron Cole who is a local artist and producer who through the challenges of COVID-19, came up with a song called Bean City Glide that can be heard through all radio and media outlets. He said he had a chance to protest over the weekend. Dixon moved, seconded by Glenn, authorizing a Resolution Declaring Racism a Public Health Crisis in Lima. Motion carried. He believes if we want to make change, we must do it as the residents have asked them to do and that is to create a change that they can see, touch and hear. He asked all residents to continue to be kind to one another, love one another and build relationships.

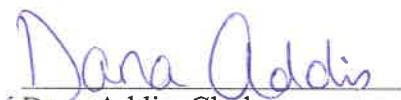
Councilor Glenn said he was nine years old when his Aunt was gunned down by a police officer. He said he had so much hate in him. He said he was the only minority that graduated from LCC. He commended everyone speaking out. He said he has put together a Steering Committee that will meet at Heir Force Academy at 5:00 pm. on Thursday. He said everyone needs to work together. He commended the Mayor for stepping up in his letter. It made him feel good.


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Councilor Gordon thanked everyone who participated in the peaceful protesting. He said people from surrounding areas bad mouth our town but look at how Lima responded, in a mature manner with leadership. He said he is with everyone through this. He congratulated our new Fire Chief Andy Heffner who is a great guy. He said there were a lot of people who signed up to talk about the Longfellow Complex so it is important that they listen which is why they were elected. He said the quality of life issue is very important. He expressed that Mr. Blass is not their enemy but they do want to work together to help the community be better. He reminded everyone to be good to each other which is what Christ taught us. He said to love God and love others.

President Nixon asked that Mr. Blass be invited to attend the Committee Meeting regarding the Special Use Permit. He said this is a discussion that has to be had and he is glad that the folks who signed up to speak, signed up. He said a Public Notice will be sent with the meeting details. He said he will be looking towards a Council of the whole Committee meeting regarding the communication from the Mayor. HE reminded Council this was something that was not created overnight and the whole letter will not be able to be addressed in one meeting. He said it will be a process for the parts that the Mayor has asked Council to look at, but Council will look at it and will look at it through two lenses. He said it will be a mountain and they will have to chip away at it rock by rock. He said it will need to be founded in honest discussion that will need to be rid of got-ya moments and rid of trying to find bites to make someone look bad. He said if we want to come to a resolution, we have to have honest, open and non-judgmental conversations.

Gordon moved that Council adjourn until June 22, 2020 at 7:00 p.m., seconded by Glenn, motion carried.

  
Dana Addis, Clerk

  
John G. Nixon, President

**Clerk's Note:** The record should reflect the name Taddrick Coleman in place of Cameron Cole on page 7.